

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<b>DANIEL AND GERALDINE SHERZER,</b>	:
	:
<b>Plaintiffs,</b>	:
	:
<b>v.</b>	<b>: CIVIL ACTION No. 07-cv-5040</b>
	:
<b>HOMESTAR MORTGAGE SERVICES, <i>et al.</i></b>	:
	:
<b>Defendants.</b>	:

**MOTION TO ENLARGE TIME TO FILE PLAINTIFFS' OBJECTION TO REPORT  
AND RECOMMENDATIONS ISSUED BY JUDGE HEY ON AUGUST 4, 2011**

Plaintiffs, **DANIEL AND GERALDINE SHERZER**, by and through their counsel, Regional Bankruptcy Center of Southeastern PA, P.C., by Roger V. Ashodian, hereby move this Honorable Court to enlarge the time in which they may file their Objections to the Report and Recommendations (“the Report”) issued by Judge Hey on August 4, 2011, in support thereof respectfully represents as follows:

1. The Honorable Elizabeth Hey, filed her Report and Recommendations on or about August 4, 2011 in response to Homestar Mortgage Services’ and HSBC Bank USA’s (collectively “Homestar’s”) Motion for Judgment on the Pleadings.
2. Plaintiffs’ counsel was out of the office, with no access to e-mail or a computer, traveling for nearly two weeks during the weeks of August 8 and August 15, and had not seen the Report and Recommendations before leaving.
3. Plaintiffs’ counsel is in the process of likely seeking leave to withdraw from the case and has a meeting scheduled with Plaintiffs on August 25, 2011, in which a final decision will be made as to whether to file a motion to withdraw.

4. Plaintiffs do not agree with the Report and Recommendations and seek an opportunity to object before a ruling is issued by the Court.

5. In the event counsel files a motion to withdraw, it may be some time before Plaintiffs have substitute counsel, and any new counsel will need an opportunity to review the relevant portions of the case record in order to respond to the Report and Recommendations. In the meantime, in light of current counsel's significant prospect of withdrawing (and the communication issues with Plaintiffs that are a major factor in any potential withdrawal), it would be inappropriate for current counsel to file a response for Plaintiffs.

6. Plaintiffs will need about two weeks to respond if current counsel and Plaintiffs reach an understanding under which current counsel remains in the case, and at least two weeks after any motion to withdraw is granted for any new counsel to prepare and file a response.

7. For the foregoing reasons, Plaintiffs have been unable to file their objection(s) and request an additional period of time, as set forth above, in which to file their objection(s) to the Report and Recommendations.

WHEREFORE, Plaintiffs requests that this Honorable Court grant Plaintiffs' Motion to Enlarge the Time to file their Objections to the Report and Recommendations issued by Judge Hey on August 4, 2011.

Respectfully submitted,

REGIONAL BANKRUPTCY CENTER OF  
SOUTHEASTERN PA, P.C., by:



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